

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MARVIN KENT POWELL and
SHAWNA POWELL,

Plaintiffs,

v.

WILBANKS SECURITIES, INC., an
Oklahoma Corporation, and AARON
BRONELLE WILBANKS, individually,

Defendants,

and

PROSPERITY BANK,

Garnishee.

Case No. 5:18-FJ-00003-HE

FILED

MAY - 9 2019

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY NeV, DEPUTY

Non-Continuing and General Garnishee's Answer/Affidavit

State of OKlahoma

County of OKlahoma

SS

I, Donna Pierce, (garnishee or individual answering on behalf of garnishee), in answer to a garnishment summons served on the 6 day of May, 20 19, and having knowledge of the facts and being sworn, state:

• **If Garnishee is an Individual:**

That garnishee is an individual, whose full legal name is _____,
and that garnishee does business under the name of _____.

• **If Garnishee is a Partnership:**

That garnishee is _____, a partnership composed of the
following persons: _____

• **If Garnishee is a Corporation:**

That garnishee is Prosperity Bank, a corporation, organized under the laws
of the state of Texas, and the official title of the person answering on behalf of
garnishee is clerk.

1 At the time of the service of the garnishment summons, or upon the date it became effective, the garnishee was not indebted to the judgment debtor for any amount of money nor did the garnishee have possession or control of any property, money, goods, chattels, credits, negotiable instruments or effects belonging to the judgment debtor or in which the judgment debtor had an interest because the employee/individual/judgment debtor was: (Please check appropriate response)

____ Not employed

____ Employed but no amounts due; specify reason: _____

X Other; specify: No account

2. At the time of service of the garnishment summons or upon the date it became effective, the garnishee was indebted to the judgment debtor or had possession or control of the following property, money, goods, chattels, credits, negotiable instruments or effects belonging to the judgment debtor as follows: *(Please check appropriate response)*

____ Earnings as shown on the attached Calculation for Garnishment of Earnings form which is incorporated by reference into this answer;

____ Upon conducting the review of the debtor's account(s) mandated by 31 CFR § 212.1 et. seq, garnishee has determined the account(s) contains \$_____ **unprotected** funds, and \$_____ **protected** funds. Specify type(s) of protected funds, and if more than one type, specify amount of each: _____

____ Other; specify: _____

Check here [] if additional pages are necessary.

3. Nothing has been withheld due to a prior garnishment or continuing garnishment which will expire on _____ and is in Case Number _____ in the District Court of _____ County, Oklahoma.

4. On _____, 20____, the garnishee mailed a copy of the Notice of Garnishment & Exemptions and Application for Hearing by first-class mail to the judgment debtor at:

Address _____
 City _____
 State _____ Zip _____
 Date Mailed _____

Or, hand delivered the same to judgment debtor at:

Judgment Debtor _____
 Place _____

5. The garnishee makes the following claim of exemption on the part of the judgment debtor, or has the following objections, defenses, or setoffs to judgment creditor's right to apply garnishee's indebtedness to judgment debtor upon judgment creditor's claim:

Check here [] if additional pages are necessary.

By: Don Yt Date: 5/6/19
Title: clerk

Subscribed and sworn to before me on this 6th day of May, 2019.

Lauri Jefferson
Notary Public

My commission expires: 6-26-2020

AOC Form
Revised 5/2011



When completed, mail original answer to: the Court Clerk of the United States District Court for the Western District of Oklahoma at the following address:
200 NW 4th Street
Oklahoma City, OK 73102

Please Note: You must send your check for the amount garnished with a copy of your answer to the attorneys named below. The check shall be made to the attorneys' trust account, "RG Busch PLLC COLTAF Account"

Attorneys for Judgment Creditor:
Nicholas M. Tait and Rob G. Busch
RG Busch PLLC
P.O. Box 3931
Greenwood Village, CO 80155

AOC Form
Revised 5/2011